



Date: MAR 28 1994

In The Matter of:

DONALD R. SCOTT,
Complainant,

v.

CULLMAN EMPLOYMENT SERVICE OFFICE,
Respondent.

Case No: 93-JSA-3

ORDER OF DISMISSAL

This matter arises under the Wagner-Peyser Act of 1933, as amended, 29 U.S.C. § 49, et seq., and the regulations issued thereunder at 20 C.F.R. Part 658.

On August 17, 1993, this Office issued a Notice of Docketing which required the parties to file with this Office certain information. On November 8, 1993, after having not received the required information from Complainant, this Office issued an Order to Show Cause ordering Complainant to comply with the August 17, 1993 Notice of Docketing. To date, no response has been received from Complainant.

Title 20 C.F.R. § 658.425(a)(3) provides, in pertinent part, that an ALJ may rule that "reasonable cause exist to believe that the appeal has been abandoned. . . ."

Complainant was properly served with Orders from this Office on August 17, 1993, and on November 8, 1993. Additionally, Complainant called this Office on September 13, 1993, to request another copy of the August 17, 1993 Order. A copy of the Order was mailed via overnight mail to the Complainant. Despite being given an extended opportunity to provide the required information, Complainant has still not responded to the August 17, 1993 Order.

Accordingly, reasonable cause exists to believe that Complainant has abandoned its appeal in this matter. Therefore, this matter is hereby DISMISSED.

JOHN M. VITTON
Deputy Chief Judge

Washington, DC
JMV/rpf/mb